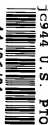


11/06/01



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Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0681-0032  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SY01106KQ1

First Inventor Wild et al.

Title Recombinant Laryngotracheitis Virus and Uses Thereof

Express Mail Label No. EL 403236015US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
 (Submit on original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
 See 37 CFR 1.27.
3. ☒ Specification [Total Pages 179]  
 (preferred arrangement set forth below)  
 - Descriptive title of the invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table,  
 or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ]
5. ☐ Oath or Declaration [Total Pages 3]  
 a. ☐ Newly executed (original or copy)  
 b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
 (for continuation/divisional with Box 18 completed)  
 i. ☐ **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s)  
 named in the prior application, see 37 CFR  
 1.63(e)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

 Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
 Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
 (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:  
 i. ☐ CD-ROM or CD-R (2 copies); or  
 ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
 (when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
 Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
 (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
 (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
 (b)(2)(B)(i). Applicant must attach form PTO/SB/35  
 or its equivalent.
17. ☒ Other: Request for Transfer: 1 pg

 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
 or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 08, 468,190

Prior application information: Examiner Brumback, B. Group Art Unit: 1642

 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
 Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
 The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 24265 or ☐ Correspondence address below

Name Pamela G. Salkeld (Reg. No. 38607)

Address

City

State

Zip Code

Country

Telephone

908-298-2135

Fax

908-298-5388

Name (Print/Type)

Pamela G. Salkeld

Registration No. (Attorney/Agent)

38607

Signature

Pamela G. Salkeld

Date

November 6, 2001

 Burden Hour Statement: This form is estimated to take 05 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on  
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 Washington, DC 20231.

PTO 09/993777

11/06/01

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Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	to be assigned
Filing Date	November 6, 2001
First Named Inventor	Wild et al.
Examiner Name	Brumback, B.
Group Art Unit	1642
Attorney Docket No.	SY01106KQ1

TOTAL AMOUNT OF PAYMENT (\$ 992.00)

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	19-0365
Deposit Account Name	Schering-Plough Corporation

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****3. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 340	201 370	Utility filing fee	740
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$ 740)

**4. EXTRA CLAIM FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Extra Claims	Fee from below	Fee Paid
12	-20** = 0	X	40	
6	-3** = 3	X	84	252

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 64	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 252)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

SUBTOTAL (3) (\$ )

**SUBMITTED BY**

Name (Print/Type)	Pamela G. Salkeld	Registration No. (Attorney/Agent)	38607	Telephone	908-298-2135
Signature	<i>Pamela G. Salkeld</i>	Date	November 6, 2001		

Complete (if applicable)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

-----X  
In re Application of: :  
Wild et al. :

For Patent For:  
RECOMBINANT LARYNGOTRACHEITIS  
VIRUS AND USES THEREOF

: Examiner: Brumback, B.

: Group Art Unit: 1642

Serial No.: To be assigned

Date: November 6, 2001

Filed: November 6, 2001  
-----X

Schering-Plough Corporation  
Kenilworth, New Jersey 07033-0530

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR TRANSFER OF COMPUTER READABLE  
FORM OF SEQUENCE LISTING**

Applicant requests that the computer readable form of the sequence  
listing be transferred from the parent case, Serial No. 08/468,190 filed on  
June 6, 1995 to this instant continuation case.

**SCHERING-PLOUGH CORPORATION**

Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
908-298-2135

Date: November 6, 2001

Respectfully submitted

*Pamela G. Salkeld*

**PAMELA G. SALKELD**

Reg. No. 38607  
Attorney for Applicants  
(908) 298-2135